

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

ROSIE L. DAVIS, *et al.*

PLAINTIFFS

v.

Case No. 4:88-cv-4082

WILLIAM DALE FRANKS, *et al.*

DEFENDANTS

ARKANSAS DEPARTMENT OF EDUCATION and
ARKANSAS STATE BOARD OF EDUCATION

INTERVENORS

ORDER

On May 14, 2018, Hope filed a Motion for Declaratory Judgment, or Alternatively, for Clarification of Previous Orders, or Alternatively, for Modification of Previous Orders (hereinafter “Motion for Declaratory Judgment”). (ECF No. 129). On May 18, 2018, Plaintiffs responded to the Motion for Declaratory Judgment, indicating their support. (ECF No. 132). On July 16, 2018, Intervenor Arkansas Department of Education and Arkansas State Board of Education filed a response in opposition to Hope’s Motion for Declaratory Judgment. (ECF No. 149). On July 26, 2018, Hope filed a reply in further support of its Motion for Declaratory Judgment. (ECF No. 157). Accordingly, the Motion for Declaratory Judgment is fully briefed and is ripe for consideration.

On August 1, 2018, the Court held an evidentiary hearing on Hope’s separate motion for preliminary injunctive relief. At the hearing, the parties offered evidence and witness testimony, much of which is also relevant and applicable to Hope’s Motion for Declaratory Judgment. For this reason, the Court is of the mind that it is unnecessary to schedule an evidentiary hearing related to the Motion for Declaratory Judgment. However, if any party desires that the Court schedule an

evidentiary hearing, they must request a hearing by **no later than September 11, 2018**. In the absence of any such request, the Court will not set an evidentiary hearing on Hope's Motion for Declaratory Judgment and will instead decide the motion based on the briefing and evidence currently before the Court.

IT IS SO ORDERED, this 4th day of September, 2018.

/s/ Susan O. Hickey
Susan O. Hickey
United States District Judge